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Message Text

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C O N F I D E N T I A L STATE 146947

E.O. 11652: GDS

TAGS: SHUM, CD

SUBJECT: HUMAN RIGHTS - CHAD ACTION PLAN

REF: STATE 139160

1. THE GEOGRAPHIC BUREAUS HAVE BEEN TASKED TO PREPARE HUMAN RIGHTS EVALUATION REPORTS INCLUDING AN ASSESSMENT OF THE CURRENT CONDITION OF HUMAN RIGHTS IN EACH COUNTRY AND THE PROPOSED OBJECTIVES AND RECOMMENDATIONS FOR IMPROVING THOSE CONDITIONS. GUIDELINES AND FORMAT INCLUDED IN REFTEL.

2. THIS CABLE TRANSMITS THE DESKS DRAFT REPORT FOR YOUR COMMENTS. YOUR RESPONSE IS REQUESTED BY JUNE 28 SO THAT THE BUREAU CAN MEET THE SUBMISSION DATE OF JULY 1. SLUG CABLE FOR AF DISTRIBUTION ONLY.

3. THE INFORMATION CONTAINED IN THE COUNTRY EVALUATION
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WILL BE CLASSIFIED IN ACCORDANCE WITH EXECUTIVE ORDER 11652. REPORTS WILL BE USED AS SOURCE MATERIAL FOR THE PREPARATION OF ANNUAL HUMAN RIGHTS REPORTS ON ALL COUNTRIES WHICH ARE RECIPIENTS OF US SECURITY ASSISTANCE, AND WILL BE SUBMITTED TO THE DEPARTMENT'S HUMAN RIGHTS COORDINATING COMMITTEE, CHAIRED BY THE DEPUTY SECRETARY.

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4. A. CONDITION OF HUMAN RIGHTS IN CHAD.

CHAD HAS BEEN GOVERNED BY A MILITARY CLIQUE SINCE THE COUP D'ETAT IN APRIL 1975. WHEN THE CURRENT GOVERNMENT SEIZED POWER IT SUSPENDED THE CONSTITUTION, BANNED POLITICAL PARTIES AND ACTIVITIES, AND PROHIBITED LABOR STRIKES. MOREOVER, CHAD HAS NOT YET RATIFIED THE UN HUMAN RIGHTS COVENANT, THE GENEVA CONVENTIONS OF 1949, THE VIENNA CONVENTION, NOR THE GENOCIDE CONVENTION.

(1) RESPECT FOR INTEGRITIES OF THE PERSON.

UNDER CHAD'S PREVIOUS REGIME, THE INDIVIDUAL'S RIGHT TO LIFE, PERSONAL LIBERTY, SECURITY OF THE PERSON AS WELL AS FREEDOM OF POLITICAL BELIEFS WERE NOT GENERALLY RESPECTED. IN FACT CHAD'S CONSTITUTION PROTECTED ONLY LIMITED CITIZEN RIGHTS WHICH IN TURN WERE CONTINGENT UPON "PUBLIC SECURITY." BEFORE THE APRIL 1975 COUP, CHAD RECEIVED WIDESPREAD INTERNATIONAL CRITICISM BECAUSE OF VIOLATIONS OF HUMAN RIGHTS ASSOCIATED WITH THE DETENTION OF POLITICAL PRISONERS AND THE FORCED PARTICIPATION IN PHYSICALLY GRUELING TRIBAL INITIATION RIGHTS. THESE VIOLATIONS WERE IMMEDIATELY ENDED BY THE PROVISIONAL GOVERNMENT WHEN IT ASSUMED POWER IN APRIL 1975. IT RELEASED A NUMBER OF POLITICAL PRISONERS WHO HAD BEEN DETAINED BY THE PREVIOUS GOVERNMENT, BUT KEPT SEVERAL CONFIDENTIAL

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MEMBERS OF THE PREVIOUS REGIME UNDER HOUSE ARREST.

THE CURRENT GOVERNMENT HAS NOT BEEN ABLE TO END THE LONG-STANDING REBELLION IN NORTHERN AND EASTERN CHAD. AS A RESULT, THE GOVERNMENT HAS FELT OBLIGED TO CURTAIL PERSONAL LIBERTIES IN THE PRIMARY AREAS OF CONFLICT. ARBITRARY ARRESTS OF SUSPECTED GUERRILLAS HAVE OCCURRED, THOUGH MOST DETAINEES HAVE EITHER BEEN BROUGHT TO TRIAL OR RELEASED IN A REASONABLY SPEEDY FASHION. THE COUP PLOTTERS WHO ATTEMPTED TO ASSASSINATE THE PRESIDENT IN APRIL 1976 WERE TRIED BEFORE A MILITARY TRIBUNAL. A VARIETY OF SENTENCES, FROM EXCULPATION TO EXECUTION, WERE HANDED DOWN BY THE TRIBUNAL, AFTER A FULL HEARING OF THE AVAILABLE EVIDENCE. IN ADDITION, SEVERAL MILITARY OFFICERS WERE EXECUTED AFTER BEING CONVICTED BY A COURT-MARTIAL OF ARMED INSURRECTION.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

THE FREEDOM OF THOUGHT, RELIGION OR ASSEMBLY IS NOT SPECIFICALLY GUARANTEED BY LAW. THE PROVISIONAL GOVERN-MENT IS REPORTEDLY DRAFTING A NEW JUDICIAL CODE WHICH IS

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TO GUARANTEE A MEASURE OF CIVIL AND POLITICAL RIGHTS TO

CHADIAN NATIONALS. ALTHOUGH A FORMER FRENCH COLONY, WESTERN LEGAL IDEAS HAVE NEVER BEEN FIRMLY IMPLANTED IN CHAD. TRADITIONAL LAW CONTINUES TO BE HIGHLY INFLUENTIAL THROUGHOUT CHAD. AS IT STANDS NOW THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS IS GENERALLY RESERVED FOR MEMBERS OF THE RULING GROUP. SINCE THERE IS AN ACTIVE INSURRECTION IN PARTS OF CHAD, FREEDOM OF MOVEMENT IS RESTRICTED AS IS EMIGRATION AND FOREIGN TRAVEL.

(3) RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS OF FOOD, SHELTER, HEALTH CARE AND EDUCATION.
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AS A VERY POOR COUNTRY, CHAD HAS ACTIVELY SOUGHT FOREIGN AID TO IMPROVE THE LIVING STANDARDS OF ITS NATIONALS. THE PROVISIONAL GOVERNMENT HAS PUBLICLY COMMITTED ITSELF TO IMPROVING THE STANDARDS OF LIVING OF ITS CITIZENS BY RAISING THE PER CAPITA INCOME, PROMOTING DEVELOPMENT OF ITS AGRICULTURAL SECTOR AND IMPROVING SOCIAL SERVICES AND EDUCATIONAL PROGRAMS. IT HAS BEEN RELATIVELY SUCCESSFUL IN ITS EFFORTS TO OBTAIN EXTERNAL AID FOR THESE SOCIAL PROGRAMS.

(4) THE GOVERNMENT RESPONSIBILITIES FOR THE FOREGOING HUMAN RIGHTS RECORD.

SINCE THE CURRENT REGIME HAS BEEN IN POWER, CHAD'S HUMAN RIGHTS RECORD HAS IMPROVED CONSIDERABLY. THE CURRENT GOVERNMENT HAS TAKEN VARIOUS STEPS TO CORRECT HUMAN RIGHTS VIOLATIONS COMMITTED BY THE PREVIOUS REGIME. IT HAS GIVEN INDICATIONS THAT IT IS CONCERNED ABOUT IMPROVING HUMAN RIGHTS CONDITIONS IN CHAD AS WELL AS CHAD'S INTER-NATIONAL REPUTATION WITH REGARD TO HUMAN RIGHTS.

(5) WILLINGNESS AND PAST RECORD REGARDING INDEPENDENT OUTS;DE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.

UNDER THE PREVIOUS REGIME, VARIOUS INTERNATIONAL AND RELIGIOUS ORGANIZATIONS PROPOSED THAT CHAD BE INVESTIGATED FOR SERIOUS GOVERNMENT VIOLATIONS OF HUMAN RIGHTS, PARTIC-ULARLY IN THE AREA OF POLITICAL AND RELIGIOUS FREEDOMS. SINCE THE NEW REGIME HAS BEEN IN POWER, THERE HAVE BEEN NO PROPOSALS FOR OUTSIDE INVESTIGATION OF ALLEGED HUMAN 9IGHTS VIOLATIONS IN CHAD. GIVEN THE FACT THAT THE CURRENT REGIME WOULD LIKE TO IMPROVE CHAD'S INTERNATIONAL
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IMAGE WITH REGARD TO HUMAN RIGHTS, IT IS LIKELY THAT THE GOVERNMENT OF CHAD WOULD BE WILLING TO ALLOW INVESTIGATIONS TO BE CONDUCTED, PROVIDED LEGITIMATE CONCERNS WERE BEING EXPRESSED.

5. B. ANALYSIS AND RECOMMENDATIONS.

(1) LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX, AND TWELVE MONTHS IN RELATION TO IMPROVING CONDITIONS IN CHAD TO ABOVE CATEGORIES A 1, 2, AND 3.

OUR OBJECTIVE IN THE NEAR AND MID-TERM FUTURE SHOULD BE TO ENCOURAGE CHAD'S CURRENT GOVERNMENT TO STEP UP ITS EFFORTS TO PROVIDE MORE POLITICAL AND CIVIL RIGHTS FOR ITS CITIZENS, AND TO CONTINUE ITS ECONOMIC DEVELOPMENT EFFORTS. THIS OBJECTIVE COULD PROBABLY BE MOST EFFECTIVELY ACCOMPLISHED THROUGH QUIET DIPLOMACY. WE SHOULD IMPRESS UPON THE CHADIAN GOVERNMENT AT VARIOUS LEVELS THE IMPORTANCE OF HUMAN RIGHTS IN THE FORMULATION OF BILATERAL POLICIES. WE SHOULD ALSO CONTINUE THE PRACTICE OF REPORTING US GOVERNMENT HUMAN RIGHTS CONCERNS AND PROPOSALS FULLY AND DIRECTLY TO THE HIGHEST LEVEL OF CHAD'S GOVERNMENT.

(2) PRINCIPAL REACTIONS.

A QUIET DIPLOMACY APPROACH AS OUTLINED ABOVE IS NOT EXPECTED TO GENERATE AN UNFAVORABLE REACTION FROM THE CHADIAN GOVERNMENT. FURTHERMORE IT MAY SERVE TO FURTHER INDICATE OUR SINCERE INTEREST TO CHADIAN LEADERS IN THEIR POLITICAL DEVELOPMENT.

(3) IMPLICATIONS.

IT IS NOT LIKELY THAT OUR POLICY WOULD PRODUCE ANY NEGATIVE CHANGES IN THE GOVERNMENT OF CHAD'S HUMAN RIGHTS CONFIDENTIAL

POSITION. IN FACT THE POLICIES AND ISSUES MAY CAUSE A MORE FAVORABLE CHANGE IN CHAD'S HUMAN RIGHTS SITUATION THAN PREVIOUSLY EXPECTED.

(4) A. WE DO NOT PRESENTLY BELIEVE CHAD'S CURRENT HUMAN RIGHTS SITUATION JUSTIFIES PUNITIVE USG ACTION.

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B. SINCE CHAD IS INTERESTED IN IMPLEMENTING A MORE LIBERAL POLICY TOWARD HUMAN RIGHTS, IT IS CONCEIVABLE THAT CHAD WOULD SUPPORT US EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL OR NON-GOVERNMENTAL ORGANIZATIONS WHEN THESE INITIATIVES HAVE THE SUPPORT OF SUCH GROUPS AS THE OAU, GROUPS OF 77 (G-77), AND THE NON-ALIGNED CONFERENCE (NAC).

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